# IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND

SYDELLE GOLDWURM, \*

Plaintiff, \*

v. \*

AMERICAN REALTY CAPITAL \* Civil Action No. 12-cv-03516 JKB

TRUST, INC., et al.,

\*

Defendants.

\*

\* \* \* \* \* \* \* \*

# STIPULATION AND CONSENT MOTION TO EXTEND TIME

Plaintiff, Sydelle Goldwurm, and Defendants, American Realty Capital Trust, Inc., Nicholas S. Schorsch, William M. Kahane, Leslie D. Michelson, Robert H. Burns, William G. Stanley, Realty Income Corporation and Tau Acquisition, LLC, jointly move this Court, pursuant to Federal Rule of Civil Procedure 6(b)(1)(A) and Local Rule 105(9), for an two (2) week extension of time for Plaintiff to respond to Defendants' Motions to Dismiss, and state as follows:

- 1. On December 19, 2012, Defendants served Defendants' Motions to Dismiss. See ECF No. 10 and No. 11.
  - 2. Plaintiff's responses to these motions are currently due on January 14, 2013.
- 3. Plaintiff and Defendants have agreed to extend Plaintiff's response time to these Motions to Dismiss for another two weeks.

## Case 1:12-cv-03516-JKB Document 27 Filed 01/14/13 Page 2 of 2

4. Therefore, Plaintiff and Defendants jointly request that this Court extend the date for Plaintiff to file her responses to Defendants' Motions to Dismiss by two (2) weeks to January 28, 2013.

WHEREFORE, Plaintiff and Defendants request that this Court enter an order extending the deadline for Plaintiff to respond to Defendants' Motions to Dismiss to January 28, 2013, and such other and further relief as this Court deems just, equitable and proper.

#### /s/ Scott H. Marder

SCOTT H. MARDER (Fed. Bar No. 28789) DUANE MORRIS LLP 111 South Calvert Street, Suite 2000 Baltimore, MD 21202 Telephone: (410) 949-2941

Fax: (410) 558-6370

## /s/ Rebecca M. Lamberth

REBECCA M. LAMBERTH (pro hac vice) JOHN H. GOSELIN, II (pro hac vice) DUANE MORRIS LLP 1075 Peachtree Street, Suite 2000 Atlanta, GA 30309 Telephone: (404) 253-6900

Fax: (404) 253-6901

Attorneys for Defendants American Realty Capital Trust, Inc., Nicholas S. Schorsch, William M. Kahane, Leslie D. Michelson, Robert H. Burn and William G. Stanley

#### /s/ Charles S. Hirsch

CHARLES S. HIRSCH (Fed. Bar No. 06605) BALLARD SPAHR LLP 300 E. Lombard Street, 18<sup>th</sup> Floor Baltimore, MD 21202 Telephone: (410) 528-5503

Fax: (410) 528-5650

Attorneys for Defendants Realty Income Corporation and Tau Acquisition, LLC

### /s/ Patrick C. Smith

PATRICK C. SMITH (Fed. Bar No. 02054) DEHAY & ELLISTON LLP 36 S. Charles St., Suite 1300 Baltimore, MD 21201 Telephone: (410) 783-7019

Fax: (410) 783-7221

Attorneys for Plaintiff, Sydelle Goldwurm